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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,903	07/31/2003	Kenji Ito	Q76757	9611
23373	7590	10/31/2006	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			HENN, TIMOTHY J	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/630,903

Applicant(s)

ITO, KENJI

Examiner

Timothy J. Henn

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Specification*

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Visvanathan et al. (US 6,359,643) in view of Miyazaki (US 2005/0231631).

#### **[claim 1]**

Regarding claim 1, Visvanathan discloses a digital camera comprising: an image pickup device for shooting a subject image (Figure 1, Item 114); recording the image data onto a recording medium (c. 3, ll. 52-62); marking instruction means for instruction addition of marking data to an arbitrary frame in recording the motion picture data onto the recording medium (Figure 3, Step 308); marking means for adding marking data to a frame specified by the marking instruction means (Figure 3, Step 310) and playback means (c. 3, ll. 62-67). However, Visvanathan does not disclose search means for detecting a frame marked by the marking means, displaying a predetermined number of frames in the neighborhood of the detected frame and still picture recording means for

recording a frame selected by selection means as still picture data onto the recording medium.

Miyazaki discloses an image pickup apparatus which, when an image is captured, allows a user to select an image from an image taken at a time when a shutter button was pressed and a pre-selected number of frames taken before and after than image and stores the selected frame into memory to ensure that a picture at a desired timing is captured (Figure 1; Paragraphs 0008-0009 and 0034-0035).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement a display, selection and storage system as taught by Miyazaki in the camera of Visvanathan to ensure that an image at the desired timing can be properly captured. The examiner notes that to implement such a system, it would be inherently necessary to provide a search means to allow the camera to detect frames which have been marked as still images so that the camera can decompress and display the pre-selected number of images surrounding the captured still image to allow the user to select the desired image. However, Visvanathan in view of Miyazaki does not specifically disclose the use of a compression and decompression circuit for compressing motion picture data on a per frame basis and decompressing the motion picture frames for playback.

Official Notice is taken that the use of compression/decompression means are notoriously well known in the art to reduce the amount of data which needs to be stored and lower memory requirements by compressing the image data prior to recording and decompressing the image data prior to playback. Therefore, it would have been

Art Unit: 2622

obvious to one of ordinary skill in the art at the time the invention was made to include compression/decompression means to lower the amount of data which needs to be stored and lower the memory requirements of the system of Visvanathan in view of Miyazaki.

**[claim 2]**

Regarding claim 2, Visvanathan discloses a recording medium which is a removable memory card (i.e. nonvolatile recording medium detachable from the camera unit; c. 3, ll. 56-59).

**[claim 3]**

Regarding claim 3, Visvanathan discloses an interface for outputting still picture data recorded on the recording medium to an external device (Figure 1, Item 154).

***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

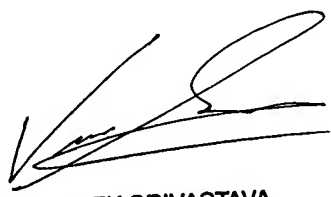
i.	Yumoto et al.	US 6,734,910
ii.	Niida	US 2002/0044766
iii.	Goldmark	US 3,627,922

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J. Henn whose telephone number is (571) 272-7310. The examiner can normally be reached on M-F 9:00 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TJH  
10/12/2006



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